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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 VELMA WALKER, et al.,

9 Plaintiffs,

10 v.

11 HUNTER DONALDSON, LLC et al.,

12 Defendants.

CASE NO. C13-5412 BHS

ORDER GRANTING
PLAINTIFFS' UNOPPOSED
MOTION TO LIFT STAY AND
ISSUE CLERK'S LETTER
REMANDING CASE TO STATE
COURT

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14 This matter comes before the Court on Plaintiffs' unopposed motion to lift stay
15 and to reissue the clerk's letter remanding the case to state court (Dkt. 46). The Court has
16 considered the pleadings filed in support of the motion and the remainder of the file and
17 hereby grants the motion for the reasons stated herein.

18 On September 16, 2013, the Court entered an order granting Plaintiffs' motion to
19 remand this action to the Superior Court of the State of Washington for Pierce County.
20 Dkt. 40. On September 30, the Court entered a letter from the Deputy Clerk to the Pierce
21 County Superior Court Clerk's Office enclosing a certified copy of the Court's remand
22 order, although the letter was not mailed to Pierce County Superior Court. Dkts. 41 and

1 42. On the same day, Defendants Hunter Donaldson, LLC, Ralph Wadsworth, and
2 Rebecca Rohlke filed a petition for permission to appeal this Court's remand order with
3 the Court of Appeals for the Ninth Circuit. Dkt. 41. On October 8, the Court entered a
4 minute order striking the Deputy Clerk's letter, providing that "The Clerk's action will be
5 revisited, if necessary," and ordering that "No further action will be taken in this matter
6 until the Court receives notification from the Ninth Circuit regarding the pending
7 petition." Dkt. 43. Finally, on December 20, 2013, the Ninth Circuit entered an order
8 denying Defendants' petition. Dkt. 47 at 5.

9 The Court takes judicial notice of the Ninth Circuit's December 20, 2013 order.
10 The Court hereby lifts the stay. Furthermore, pursuant to 28 U.S.C. § 1447(c), the Court
11 directs the Clerk to mail a certified copy of the order of remand to Pierce County
12 Superior Court Clerk's Office.

13 It is so **ORDERED**.

14 Dated this 22nd day of January, 2014.

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17 BENJAMIN H. SETTLE
18 United States District Judge
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